IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY NINTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 6638 of 2005

Between:

Smt. S.V. Subbamma, W/o. Sandu Srinivas Naidu,
R/o. 4-515 Y-26, Yekalavya Colony, Markapur, Prakasam District.

..... PETITIONER

AND

1 The Joint Collector, Prakasam District at Ongole.
2 The Revenue Divisional Officer, Markapur Mandal, Prakasam District.
3 The Mandal Revenue Officer, Markapur, Prakasam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or a direction, more particularly one in the nature of Writ of Mandamus, declaring the proceedings in Rc.CS2/5290/2004, dated 17-3-2005 of the Joint Collector, Prakasam District, in not granting stay pending disposal of the appeal filed questioning the orders of the Revenue Divisional Officer, Markapur, Prakasam district in No. D.Dis.H 1436/04, dated 8-2-2005, as being arbitrary, illegal, unreasonable and irregular and consequently set aside the same with a further direction to the Joint Collector Prakasam, to dispose of the appeal at an early date by allowing the petitioner to run the Fair Price Shop No. 1 of Markapur Town and Mandal, Prakasam District, and pass such further or other orders as deem fit and proper.

Counsel for the Petitioner: MR.G.NAGARAJU

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following :

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ORDER:.

Heard both sides and at their request this Writ Petition is taken up for disposal at the stage of admission.

In this Writ Petition, the petitioner is seeking a writ of Mandamus declaring the proceedings dated 17.3.2005 of the first respondent in not granting stay pending disposal of the order of the second respondent in D.Dis. H./1436/04 dated 8.2.2005, as arbitrary, illegal and consequently set aside the same with a further direction to the first respondent to dispose of the appeal at an early date by allowing the petitioner to run the Fair Price Shop No. 21 of Markapur Town and Mandal, Prakasam District.

The only grievance of the petitioner is that the appellate authority did not pass any order in the stay application filed by the petitioner. This court, at this stage, cannot interfere with the order passed by the respondents.

Hence, having regard to the facts and circumstances of the case, suffice it to close the Writ Petition, with a direction to the first respondent to dispose of the interim application, filed along with the appeal, by the petitioner, seeking stay with utmost expedition, preferably within a period of two weeks, from the date of receipt of a copy of this order. No costs.

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D.S.R. VARMA, J

DATED: 29.03.2005

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To

1 The Joint Collector, Prakasam District at Ongole.
2 The Revenue Divisional Officer, Markapur, Prakasam District.
3 The Mandal Revenue Officer, Markapur, Prakasam District.

4. Two CCs to G.P. for Civil Supplies, High Court of A.P., Hyderabad.(OUT)

5. Two CD copies.